

THE PATH TOWARDS REDEVELOPMENT OF THE ROBERT F. KENNEDY MEMORIAL
STADIUM SITE: AN ANALYSIS OF LEASE EXTENSION

by
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Abstract

The Robert F. Kennedy (RFK) Memorial Stadium, once home to many sports teams including the Washington Football Team, has sat empty since the D.C. United soccer team left the stadium in 2017 for their new home stadium at Audi Field. The District of Columbia owns the stadium and leases the surrounding land from the federal government. In 2019, Events DC, the organization that manages the stadium, made the decision to demolish it. This is part of a \$490 million redevelopment project of this land. It is currently unclear what will replace the stadium as there are particular conditions of the lease, including what the land can be used for and that it ends in 2038, which are limiting factors. One of the options for an anchor facility is a new football stadium for the Washington Football Team. This has faced significant pushback in the past, although the dynamics have shifted in recent years.

It is essential for the District to gain long term control of the land for any development to occur due to financing and other issues. This paper analyzes the policy proposal of passing legislation in Congress to extend the lease of the land by 50 years. This would secure long term management of the land by the District of Columbia. However it would maintain conditions that the District would only be allowed to use the land for recreational purposes and would have to seek approval from several federal agencies before development. Congresswoman Eleanor Holmes Norton has supported this policy proposal before, introducing it in the 115th Congress. She has also supported conveyance of the land, where the federal government would sell it to the District at fair market value. Ultimately, this paper concludes that it is not the right time to reintroduce lease extension legislation and that the Congresswoman should work behind the scenes to advocate for the District to gain long term control of the land.

Advisor: Professor Paul Weinstein Jr.

Table of Contents

Action Forcing Event	1
Statement of the Problem	1
History and Background	5
Policy Proposal	13
Policy Analysis	18
Political Analysis	28
Recommendation	37
Curriculum Vitae	39

Figures

Figure 1: <i>Outline of 190-acre RFK Stadium site, owned by the federal government and leased to D.C.</i>	2
Figure 2: <i>Events DC's proposed plan for the RFK Stadium site redevelopment</i>	11
Figure 3: <i>Reservation 13 outlined in red, Hill East Phase II highlighted in yellow</i>	20
Figure 4: <i>Washington Post poll of District residents about building new football stadium</i> ..	31
Figure 5: <i>Map showing the distribution of subsidized housing in the District of Columbia by planning area</i>	32

MEMORANDUM

To: U.S. Congresswoman Eleanor Holmes Norton (D-DC)

From: Alaina B. Skalski

Date: December 3, 2021

Subject: Redevelopment of the Robert F. Kennedy Memorial Stadium Site

I. Action Forcing Event

Former players from the Washington Football Team (formerly the Washington Redskins) visited the Robert F. Kennedy Memorial Stadium to say goodbye prior to its scheduled 2022 demolition.¹ The demolition was previously scheduled to occur in 2021 but had to be delayed due to the COVID-19 pandemic.² The Washington Football Team has announced that it will reveal its new team name and logo in 2022.³

II. Statement of the Problem

The Robert F. Kennedy Memorial Stadium has been vacant and largely unused since the DC United soccer team left the stadium in 2017 for its new home turf at the newly constructed Audi Field.⁴ Although it was initially proposed that the stadium would continue to host other events and concerts, it has only hosted one event, which was in 2018.⁵ Events DC, the organization that currently manages RFK stadium and the surrounding areas, announced in 2019 plans to demolish the stadium by 2021 because of high maintenance costs totaling about \$3.5 million (in 2019\$, \$3.7 million in

¹ Manning, Bryan. "Former Washington Legends Say Goodbye to RFK Stadium." Washington Wire, May 12, 2021. <https://washingtonfootballwire.usatoday.com/2021/05/12/former-washington-legends-say-goodbye-to-rfk-stadium-super-bowl-champions-doug-williams-mark-rypien-dexter-manley-doc-walker/>.

² Koma, Alex. "D.C. Pushes Back Planned Demolition of RFK Stadium to 2022." Washington Business Journal, August 25, 2020. <https://www.bizjournals.com/washington/news/2020/08/25/dc-delays-rfk-demolition.html>.

³ Thompson, Cole. "BREAKING: Washington To Reveal New Name And Logo In Early 2022." Sports Illustrated, July 10, 2021. <https://www.si.com/nfl/washingtonfootball/news/breaking-washington-football-reveal-new-name-and-logo-nfl>.

⁴ Goff, Steven. "American Soccer Made Its Home at Aging, Funky RFK Stadium." Washington Post, October 20, 2017. <https://www.washingtonpost.com/news/soccer-insider/wp/2017/10/19/soccer-at-rfk-stadium-its-dirty-and-disgusting-and-ugly-but-its-ours/>.

⁵ "RFK Stadium's Concert History." Concert Archives. Accessed 2021. <https://www.concertarchives.org/venues/rfk-stadium--2>.

2021\$).^{6,7} This demolition has since been delayed to 2022 because of the COVID-19 pandemic.⁸ The stadium and surrounding area are valuable land that is being underutilized and not offering value to the District, its businesses, and residents. Additionally, there are limits on what the land can be used for because of the terms of the lease to the District from the federal government, who owns the land.⁹

The stadium and surrounding area constitute a valuable 190-acre portion of the District of Columbia. It is waterfront property along the Anacostia River.¹⁰ It is very close to a metro station, Stadium-Armory Station, which provides easy public transportation access.¹¹ It is close to downtown and connects the rest of the city to the Southeast neighborhoods across the river such as Anacostia and Greenway. The figure below outlines the boundaries of the RFK Stadium Site.



Figure 1: Outline of 190-acre RFK Stadium site, owned by the federal government and leased to D.C.

⁶ McCartney, Robert. "Bye-Bye, Bouncy Seats: District to Raze RFK Stadium by 2021." Washington Post, 2019. https://www.washingtonpost.com/local/dc-politics/district-to-raze-rfk-stadium-by-2021--but-not-necessarily-so-redskins-can-build-a-new-one/2019/09/05/48b18fc6-cfea-11e9-87fa-8501a456c003_story.html.

⁷ "US Inflation Calculator," accessed 2021, <https://www.usinflationcalculator.com/>

⁸ Koma, 2020.

⁹ McCartney, 2019.

¹⁰ Yates, Clinton. "What's next for RFK Stadium: Dog Parks? An NFL Stadium? Maybe Both." Washington Post, October 2, 2015. <https://www.washingtonpost.com/news/dc-sports-bog/wp/2015/10/02/whats-next-for-rfk-stadium-dog-parks-an-nfl-stadium-maybe-both/>.

¹¹ McCartney, 2019.

¹² "RFK Stadium Site Redevelopment Study," National Capital Planning Commission, 2006, https://www.ncpc.gov/docs/RFK_Stadium_Site_Redevelopment_Study_Dec2006.pdf

Currently, the only development in the area are The Fields at RFK Campus.¹³ These fields do not generate much revenue and are used mostly for community activity.¹⁴ The stadium has been almost entirely unused since 2017, meaning it has not generated revenue or provided entertainment for years. Although the pandemic has caused understandable delays, there have also been many discussions and disagreements about what to do with the stadium and lands which have taken up time and made it more difficult to move forward since there is little consensus on a plan.¹⁵

The nearby development in the Hill East neighborhood shows the economic value redevelopment can give to the District, the nearby community, and businesses. This plot of 67 acres of land, known as Reservation 13 was transferred from the federal government to the District of Columbia in 2006.¹⁶ Phase I of the Hill East development is close to completion, and Phase II of the development was announced by Mayor Muriel Bowser in November 2020,¹⁷ with development teams being announced in November 2021.¹⁸ This development has brought economic opportunity to District residents and businesses by making good use of this valuable land. In the meantime, the stadium site and lands sit underdeveloped and not generating economic or other benefits for the District. This is a waste of resources and an opportunity cost. Additionally, there are costs associated with the stadium even though it is not being used.¹⁹ Therefore instead of generating revenue and economic opportunity, the stadium is actually wasting resources and costing DC money.

It's important to note that the constraints on the stadium lands are different than Reservation 13 because that section of lands was transferred from the federal government to DC by the Federal

¹³ "FREQUENTLY ASKED QUESTIONS." The Fields at RFK Stadium. Accessed 2021. <https://rfkfields.com/faq/>.

¹⁴ "Mayor Bowser, Events DC to Celebrate Grand Opening of Multi-Purpose Recreational Fields at RFK Campus." Government of the District of Columbia, Muriel Bowser, Mayor, June 7, 2019. <https://mayor.dc.gov/release/mayor-bowser-events-dc-celebrate-grand-opening-multi-purpose-recreational-fields-rfk-campus>.

¹⁵ Capps, Kriston. "D.C.'s Vacant Stadium Dilemma." Bloomberg, November 7, 2019. <https://www.bloomberg.com/news/articles/2019-11-07/the-tangled-fate-of-d-c-s-vacant-rfk-stadium>.

¹⁶ "Norton Highlights Major Development Milestone in Hill East." Congresswoman Eleanor Holmes Norton, December 9, 2020. <https://norton.house.gov/media-center/press-releases/norton-highlights-major-development-milestone-in-hill-east>.

¹⁷ "Mayor Bowser Announces Equitable Development Opportunity for Hill East Phase II Project." DC.Gov, November 20, 2020. <https://dmped.dc.gov/release/mayor-bowser-announces-equitable-development-opportunity-hill-east-phase-ii-project>.

¹⁸ "Mayor Bowser Selects Development Teams for Hill East Phase II EquityRFP." DC.Gov, November 2, 2021. <https://mayor.dc.gov/release/mayor-bowser-selects-development-teams-hill-east-phase-ii-equityrfp>.

¹⁹ Cooper, Rebecca. "Here's What It Costs to Maintain an Empty RFK Stadium." Washington Business Journal, November 14, 2017. <https://www.bizjournals.com/washington/news/2017/11/14/here-s-what-it-costs-to-maintain-an-empty-rfk.html>.

and District of Columbia Government Real Property Act of 2006. This means the District owns the land and has control over what the land can be used for, and this is why it can have mixed development including housing.²⁰ The stadium lands are federal land that is leased to the District. In 2006, the National Capital Planning Commission (NCPC), a federal organization with a mission to help plan and develop federal lands and buildings in the National Capital Region,²¹ conducted a redevelopment study of the RFK Stadium site. It found several constraints to development including that the land is in a floodplain along the Anacostia River, there is a Metrorail line that cuts aboveground through the northern portion of the site, and environmental concerns including runoff from the parking lots into the already heavily polluted Anacostia River.²² The study also found several opportunities in developing the stadium site including the site's location, the prospect of reconfiguring the traffic pattern and street network in this part of the city, and the ability to create a beautiful viewshed at a major entrance to the center of the city.²³ These opportunities mostly remain unrealized 15 years since this study was published.

Development of the stadium lands is currently stalled. First, the demolition of the stadium has been delayed until 2022 because of the COVID-19 pandemic. Additionally, the District's lease of the land is set to expire in 2038.²⁴ This makes it difficult for the District to secure financing for large development projects for this land since the District does not have long term control of the land.²⁵ There have been many efforts over several decades to transfer this parcel of federal land to the District as well as efforts to extend the District's lease of the land. D.C. mayors, councilmembers, and representatives to Congress have advocated for it. Congresswoman Norton has introduced legislation

²⁰ "Norton Highlights Major Development Milestone in Hill East," 2020.

²¹ "About NCPC," National Capital Planning Commission, Accessed 2021, <https://www.ncpc.gov/about/>.

²² "RFK Stadium Site Redevelopment Study," 2006.

²³ Ibid.

²⁴ "Norton Introduces Legislation to Sell RFK Stadium Site, Unused Federal Land, to the District of Columbia." Congresswoman Eleanor Holmes Norton, March 26, 2019. <https://norton.house.gov/media-center/press-releases/norton-introduces-legislation-to-sell-rfk-stadium-site-unused-federal>.

²⁵ Flynn, Megan. "House Democrats pass D.C. statehood, launching bill into uncharted territory." Washington Post, April 22, 2021. https://www.washingtonpost.com/local/dc-politics/dc-statehood-house-vote/2021/04/22/935a1ece-a1fa-11eb-a7ee-949c574a09ac_story.html.

to transfer the land to the District.²⁶ However, there has consistently been opposition, including to recent efforts to include it in appropriations bills.²⁷

This is a difficult issue for the city since it does not have control of the land but leases it and incurs expenses. The city also has a substantial stake in how the land is used since it is located in a central part of the city, is a valuable location, has symbolic and nostalgic meaning, and impacts thousands of the city's residents and businesses. Action is needed in order to secure long term management of the land to enable large scale development. The District can only advocate for itself and encourage Congress to transfer the land, it has no real power to force the issue. Federal action is needed in order to secure long term management of the land by the District as a first step before large scale development of the stadium site could occur. The District needs to make use of this land soon to encourage development instead of watching the land continue to languish.

III. History and Background

D.C. Stadium to RFK Stadium

The Washington Redskins played their first football game at the newly built D.C. Stadium in 1961.²⁸ The stadium was built by the federal government through the Department of the Interior in partnership with the D.C. Armory Board.²⁹ It was designed to replace the aging Griffith Stadium, which was home to the Washington Redskins football team and the Senators baseball team. It was the first stadium built to be multipurpose.³⁰ In 1969, D.C. Stadium was renamed the Robert F. Kennedy Memorial Stadium following the assassination of the eponymous senator.³¹ The federal government transferred ownership of the stadium to the District of Columbia in 1986. It also leased the land the

²⁶ "Norton Introduces Legislation to Sell RFK Stadium Site, Unused Federal Land, to the District of Columbia," 2019.

²⁷ DeBonis, Mike, Liz Clarke, and Fenit Nirappil. "D.C. Bid for RFK Site as New Home for Redskins Stadium Dealt Blow in Federal Spending Bill." Washington Post, December 21, 2019.

https://www.washingtonpost.com/sports/redskins/redskins-bid-for-rfk-stadium-land-dealt-blow-in-last-weeks-federal-spending-bill/2019/12/21/8cc21c02-242d-11ea-86f3-3b5019d451db_story.html.

²⁸ Gibbs, Joe. "Farewell... RFK Stadium." Washington Post, 1998. <https://www.washingtonpost.com/wp-srv/sports/redskins/history/rfk/rfk.htm>

²⁹ Dick, Jason. "Major Events in the History of RFK Stadium." Roll Call, June 13, 2013.

<https://www.rollcall.com/2013/06/13/major-events-in-the-history-of-rfk-stadium/>

³⁰ "RFK Stadium." Stadiums of Pro Football. Accessed 2021. <https://www.stadiumsofprofootball.com/stadiums/rfk-stadium/>

³¹ Dick, 2013.

stadium was built with and the surrounding area, mostly used for parking, to the District of Columbia for 50 years.³²

The stadium has been home to several different sports teams and used for events, concerts, and more. The Washington Redskins called the stadium home until 1996 before they moved to FedEx field in Landover, Maryland. The Senators only stayed in the stadium until 1971 when the team moved to Texas and was renamed the Texas Rangers.³³ The D.C. United soccer team called RFK Stadium home from 1996 to 2018.³⁴ The Washington Freedom women's soccer team played at RFK stadium from 2001 to 2003. Baseball returned to the stadium when the Nationals baseball team used it as their home field from 2005 to 2007 until the new Nationals Park stadium construction was complete.³⁵ The stadium has also hosted several college football teams for bowl or other games.³⁶ Additionally, the stadium has been used as a concert and event venue, hosting acts such as the Beatles, The Rolling Stones, the Grateful Dead, and the Foo Fighters. The last event held in the stadium was in 2018.³⁷

Federal Ownership of Land in the District

The federal government owns a significant amount of land within the District of Columbia, totaling about one third of the 61.05 square miles of land.^{38,39} Much of this land is under federal buildings including the White House, Capitol, and office buildings, as well as museums and national parks. However, there are also parcels of land that the federal government owns that are being underutilized. Over the years, there have been several attempts to get Congress to pass legislation

³² "District of Columbia Gets RFK Stadium." The Free Lance Star, October 18, 1986. <https://news.google.com/newspapers?id=C4QwAAAAIIBAJ&pg=1946%2C3330948>.

³³ Dick, 2013.

³⁴ Capps, 2019.

³⁵ "RFK Stadium." 2021.

³⁶ Dick, 2013.

³⁷ "RFK Stadium's Concert History." 2021.

³⁸ Bonard, Nicholas. "FEDERAL OWNERSHIP OF WASHINGTON, DC SHORELINES." National Capitol Planning Commission, September 24, 2018. Accessed 2021. <https://www.ncpc.gov/news/item/54/%20/>

³⁹ "Quick Facts District of Columbia." United States Census Bureau. Accessed 2021. <https://www.census.gov/quickfacts/DC>

transferring some of these federal lands to the District of Columbia so they can be redeveloped and made of better use.⁴⁰

The Federal and District of Columbia Government Real Property Act of 2006, introduced by Congresswoman Norton, transferred 67 acres of federal land in the Hill East neighborhood called Reservation 13 to the District of Columbia. This allowed those lands to be redeveloped, in a process that is currently ongoing, to provide more housing, business development, and economic opportunity to the community and the District. Similar transfers have occurred over time including what is now The Wharf, the Capitol Riverfront, and Walter Reed.⁴¹ The Hill East redevelopment includes mixed development of housing and businesses, and has a particular focus on providing affordable housing. This development also creates jobs in both construction of the project and, in the businesses that will be located there. This project is generating revenue for the city and benefits for the nearby community and District residents as a whole.⁴²

The RFK stadium site and surrounding land have some peculiarities because of how they were developed and the federal government's interest in the use of the land. The terms of the lease of the land to the District include limitations on what development can occur on the land. The lease limits the use of the lands to "stadium purposes, providing recreational facilities, open space, and parking."⁴³ This precludes the lands from being used for other types of development such as housing. The original 50 year lease is currently set to expire in 2038.⁴⁴

Legislative History

There have been several attempts to get the federal government to transfer ownership of the stadium land to the District of Columbia. Most recently, in the 116th Congress, Congresswoman Norton introduced the H.R. 1883, the RFK Memorial Stadium Campus Conveyance Act, which

⁴⁰ "H.R. 3373." Office of Congressional and Legislative Affairs, U.S. Department of the Interior. Accessed 2021. <https://www.doi.gov/ocl/hr-3373>

⁴¹ "Norton Highlights Major Development Milestone in Hill East." 2020.

⁴² Ibid.

⁴³ "H.R. 3373."

⁴⁴ Ibid.

would direct the “Department of the Interior to convey all right, title, and interest of the United States in and to the Robert F. Kennedy Memorial Stadium Campus to the District of Columbia.”⁴⁵ In her statement introducing the bill, Congresswoman Norton noted that because the lease is ending relatively soon, it is difficult to secure financing and long term investment in the site. She also noted that conveyance of the site to the District could help garner tax revenue for the city and provide a crucial step towards redevelopment of the under-utilized site.⁴⁶ The bill was referred to the House Committee on Natural Resources and the House Committee on Oversight and Reform, but no actions were taken.⁴⁷

Other attempts to address stadium site issues have included efforts to change the terms or duration of the lease from the federal government to the District. In the 103rd Congress, Congresswoman Norton introduced H.R. 2702, the District of Columbia Stadium Act of 1957 Amendments of 1993. This bill proposed to extend the lease for 99 years and included specific provisions about development of a new stadium and the specifications of such stadium.⁴⁸ It was referred to the House Committee on the District of Columbia and the House Committee on Natural Resources. Hearings were held in the House Natural Resources Subcommittee on National Parks, Forests, and Public Lands, but no further actions were taken.⁴⁹ This shows how long the District and its representatives have been working to get the federal government to take action to help enable redevelopment of the stadium site.

⁴⁵ “H.R.1883 - RFK Memorial Stadium Campus Conveyance Act.” Congress.gov. Accessed 2021.

<https://www.congress.gov/bill/116th-congress/house-bill/1883?q=%7B%22search%22%3A%22Robert+F.+Kennedy+stadium%22%7D&s=4&r=1>

⁴⁶ “INTRODUCTION OF THE RFK MEMORIAL STADIUM CAMPUS CONVEYANCE ACT; Congressional Record Vol. 165, No. 52.” Congress.gov. Accessed 2021. <https://www.congress.gov/congressional-record/2019/03/26/extensions-of-remarks-section/article/E353-1>

⁴⁷ “Actions Overview H.R.1883 — 116th Congress (2019-2020).” Congress.gov. Accessed 2021.

<https://www.congress.gov/bill/116th-congress/house-bill/1883/actions?q=%7B%22search%22%3A%22Robert+F.+Kennedy+stadium%22%7D&r=1%29&s=4>

⁴⁸ “H.R.2702 - District of Columbia Stadium Act of 1957 Amendments of 1993.” Congress.gov. Accessed 2021.

<https://www.congress.gov/bill/103rd-congress/house-bill/2702?q=%7B%22search%22%3A%5B%22Robert+F.+Kennedy+stadium%22%5D%7D&r=13&s=5>

⁴⁹ “All Actions H.R.2702 — 103rd Congress (1993-1994).” Congress.gov. Accessed 2021.

<https://www.congress.gov/bill/103rd-congress/house-bill/2702/all-actions?q=%7B%22search%22%3A%5B%22Robert+F.+Kennedy+stadium%22%5D%7D&s=5&r=13>

Congresswoman Norton introduced H.R. 3373 in the 115th Congress, which would amend the District of Columbia Stadium Act of 1957 to extend the lease of the stadium site for 50 years.⁵⁰ In her remarks introducing the bill, Congresswoman Norton explained the city's plans to rehabilitate the stadium and lands, as well as add pedestrian bridges to connect the site to Wards 7 and 8. She also emphasized that the stadium is a memorial to Robert F. Kennedy and that the stadium needed to be updated to honor his legacy.⁵¹ These arguments show the prevailing attitudes of the time and what arguments might persuade her colleagues. The bill was referred to the House Committee on Oversight and Government Reform and the House Committee on Natural Resources. Hearings were held, but no further actions were taken.⁵²

In 2018 and 2019, there were efforts to include the long term lease extension of the stadium site into omnibus federal spending bills. This would have allowed the lease extension to be passed as part of a larger package which was a must-pass bill. Washington Redskins owner Daniel Snyder and President Bruce Allen were lobbying Republicans to include the provision in 2018. The provision was also omitted in 2019 when Democrats regained control of the House. Congressman Raúl M. Grijalva, the chair of the House Committee on Natural Resources had concerns about including such a provision in an appropriations bill. He also had concerns about the lands being used by the Redskins, whose team name was considered offensive to Native Americans. Other hurdles to including the lease extension that some oppose giving team owner Dan Snyder access to public funds or lands since he is a billionaire. Additionally, “[s]ome congressional leaders want to see a united front on the District’s plan for the RFK land — reflecting the view not only of the D.C. mayor but

⁵⁰ “H.R.3373 - To amend the District of Columbia Stadium Act of 1957 to extend for an additional 50 years the lease under which the government of the District of Columbia uses the ground under and the parking facilities associated with Robert F. Kennedy Memorial Stadium.” Congress.gov. Accessed 2021. <https://www.congress.gov/bill/115th-congress/house-bill/3373?r=2&s=4>

⁵¹ “INTRODUCTION OF A BILL TO AMEND THE DISTRICT OF COLUMBIA STADIUM ACT OF 1957 TO EXTEND FOR AN ADDITIONAL 50 YEARS THE LEASE UNDER WHICH THE GOVERNMENT OF THE DISTRICT OF COLUMBIA USES THE GROUND...; Congressional Record Vol. 163, No. 124.” Congress.gov. Accessed 2021. <https://www.congress.gov/congressional-record/2017/07/24/extensions-of-remarks-section/article/E1039-1>

⁵² “All Actions H.R.3373 — 115th Congress (2017-2018).” Congress.gov. Accessed 2021. <https://www.congress.gov/bill/115th-congress/house-bill/3373/all-actions?s=4%29&r=2>

also the D.C. Council and District residents — before approving a long-term lease, land transfer or sale.”⁵³ All of this led to the provision not being included in spending bills in either 2018 or 2019.

District Viewpoints and Current Development Landscape

The Mayor and D.C. Council members have varying viewpoints of what the stadium land should be used for, some supporting the building of a new stadium, and some opposing it and wanting the lands to be used for more housing. In 2019, the Council went so far as to include a provision in the Budget Support Act that “would prohibit Events D.C., the city’s sports and convention authority, from spending any money over the next two years to purchase the RFK campus from the federal government or to ‘induce a National Football League team to locate in the District.’”⁵⁴ Some of this had to do with budgetary factors and how the Council wanted to allocate resources. However, this was also a way of exerting control over the process even if the federal government decided to extend the lease or sell the lands to the District. Additionally, ANC commissioners and residents have varied opinions about what should be done with the stadium site as well, with many opposing a new football stadium but some supporting.⁵⁵⁵⁶

While changes to the lease have been held up, the city has worked to redevelop parts of the stadium campus so that it can be useful for residents. This had to comply with the terms of the lease to provide recreational facilities and open space. In June 2019, The Fields at RFK Campus were opened at a ribbon cutting ceremony.⁵⁷ The fields are available to the public as well as for events, and there is additional open space and playgrounds in the 27 acre area. The fields are the first part of an initiative by Events DC to transform the stadium site into a useful recreational area. The plans also include adding a market, additional sports and recreation facilities, pedestrian bridges to provide

⁵³ DeBonis, et. al, 2019.

⁵⁴ Austermuhle, Martin. “D.C. Council Final Budget Prevents City From Paying To Bring Football Back To RFK.” DCist, June 18, 2019. <https://dcist.com/story/19/06/18/d-c-council-vote-could-prevent-city-from-bringing-football-back-to-rfk/>

⁵⁵ “Now that the team has retired the name, should Washington return to RFK Stadium?” ABC7 News. July 14, 2020. <https://wjla.com/sports/content/washington-has-retired-its-name-but-should-the-team-move-back-to-rfk-stadium>

⁵⁶ Burns, Steve. “ANC Commissioner Unhappy With Bowser’s Stance on RFK Site.” 105.9 FM WMAL. September 14, 2015. <https://www.wmal.com/2015/09/14/listen-anc-commissioner-unhappy-with-bowser-stance-on-rfk-site/>

⁵⁷ “Mayor Bowser, Events DC to Celebrate Grand Opening of Multi-Purpose Recreational Fields at RFK Campus.” 2019.

access to Kingman and Heritage Islands, an RFK Democracy Center, and an anchor facility to replace RFK Stadium.⁵⁸ Below is a diagram of short term development proposal for the site.

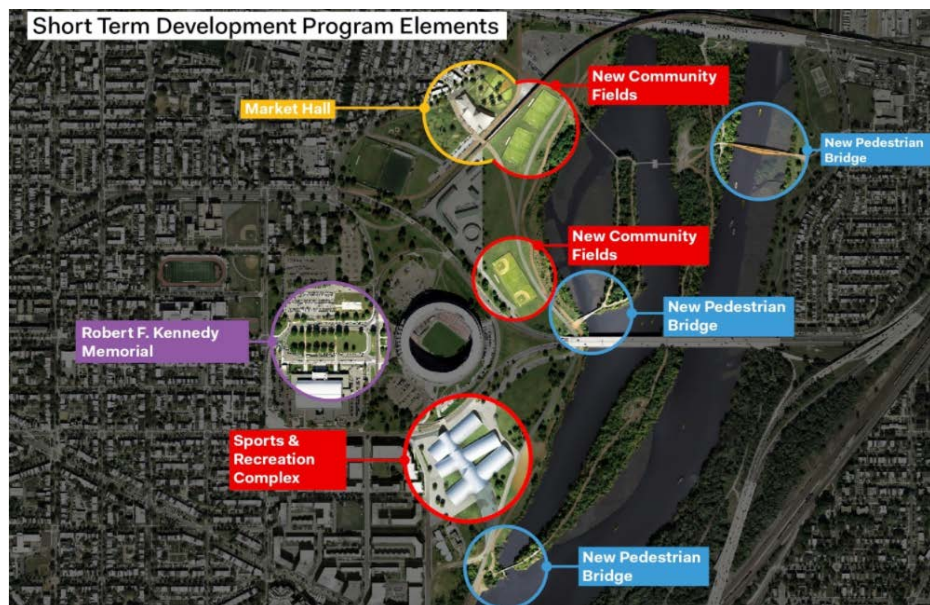


Figure 2: Events DC's proposed plan for the RFK Stadium site redevelopment

In September 2019, Events DC announced the decision to demolish RFK Stadium. This decision was made because of the high maintenance cost of maintaining the facility, about \$3.5 million (in 2019\$, \$3.7 million in 2021\$).^{60,61} The stadium had not hosted many events since the D.C. United soccer team left RFK stadium for its new home at Audi Field. This meant the stadium was not bringing in much revenue and was instead costing the city millions of dollars. Demolishing the stadium would also enable Events DC to continue its work on the \$490 million (in 2016\$, \$560 million in 2021\$) redevelopment into recreational areas. Events DC President Gregory A. O'Dell denied that the decision to demolish RFK stadium was to clear a path for a new stadium to be built for the Washington Football Team. Additionally, at the time, the mayor's office had not had conversations with the team about the potential to build a new stadium in over a year. Team

⁵⁸ "RFK Stadium Campus - The Future." Events DC The Fields at RFK Stadium. Accessed 2021. <https://rfkfields.com/the-future/>

⁵⁹ O'Connell, Jonathan. "Half billion-dollar plans for RFK Stadium site include sports center, market, RFK memorial." Washington Post, January 5, 2017. <https://www.washingtonpost.com/news/digger/wp/2017/01/05/half-billion-dollar-plans-for-rfk-stadium-site-include-sports-center-market-rfk-memorial/>

⁶⁰ McCartney, 2019.

⁶¹ "US Inflation Calculator," accessed 2021.

spokesman Tony Wyllie said that the team supported the mayor's decision to demolish RFK stadium.⁶² The tear down of the stadium was originally set to occur in 2021, but was pushed back to 2022 due to the COVID-19 pandemic.⁶³

Football Stadium as Potential Anchor Facility

The development plan calls for an anchor facility which could include “a 20,000-seat arena, a National Football League stadium, or an open-air, multi-purpose space.”⁶⁴ It purposely does not specify what the anchor facility should be since that remains a large point of contention. However, even though the plan does not currently call for a football stadium, because it is one of the options it has become a major focus of any conversations around development of the land, extension of the lease, or conveyance of the land to the District. That means the views about a football stadium need to be taken into consideration when examining the RFK stadium site development issue.

Opposition to a new stadium has, in part, been due to the name of the Washington Redskins. The term redskins is regarded as offensive to Native Americans. For decades, the team has resisted calls to change the name, even as other sports teams have changed their names in response to public outcry. Efforts to push the team to change its name are not new, and began at least in 1972.⁶⁵ Dan Snyder, the current owner, bought the team in 1999. He was vehement for years about his refusal to change the team name.⁶⁶ All of this changed in 2020, when the country went through a racial reckoning in the wake of the death of George Floyd at the hands of police officers. Public outcry reached a peak, and the team faced financial pressure from sponsors, so they agreed to review the team's name.⁶⁷ The team decided to remove the Redskins name, and to become The Washington

⁶² McCartney, 2019.

⁶³ Koma, 2020.

⁶⁴ “RFK Stadium Campus - The Future,” Accessed 2021.

⁶⁵ Bernstein, Dan. “Redskins name change timeline: How Daniel Snyder's 'NEVER' gave way to Washington Football Team” Sporting News, November 26, 2019. <https://www.sportingnews.com/us/nfl/news/redskins-name-timeline-washington-football-team/1uk394uouwi631k7poirtqlv1s>.

⁶⁶ Ibid.

⁶⁷ Bernstein, 2019.

Football Team until a new name could be selected.⁶⁸ In July 2021, the team announced that they would continue to use the temporary Washington Football Team as their name for the 2021 season and that the new name and logo would be announced in 2022.⁶⁹ The change of the name has caused many to speculate whether this will be enough to clear opposition to the team returning to the District. The legacy of issues with race may continue to be an obstacle for the team returning to the District, or the efforts made may buy goodwill enough to sway public and political support.

RFK Stadium has occupied a central part in the District, both literally and metaphorically. Many residents hold fond memories of the stadium and it has been a part of the history of the city. There have been several hurdles over the years to maintaining or replacing the stadium. Recent changes to the name of the Washington Football Team, delays in demolition of the stadium, redevelopment of the nearby Reservation 13 site, the opening of the Fields and RFK stadium, and continuing Congressional difficulties may be enough to push the District, federal government, and private parties to make a decision about the future of the stadium lands.

IV. Policy Proposal

The goal of this policy proposal is to enable development of the Robert F. Kennedy stadium site and surrounding lands within two years to make them more accessible, useful, and productive for District residents. This will be accomplished by securing long term management of the lands by the District of Columbia by extending the length of the District's lease of the lands from the federal government by 50 years.

Development of Events DC's \$490 million plan (in 2016\$, \$560 million in 2021\$)⁷⁰ to redevelop the RFK stadium lands is already underway. The Fields at RFK Campus have been completed and opened on June 8, 2019. Additional plans that can currently be accomplished and are

⁶⁸ Carpenter, Les. "Washington's NFL team to retire Redskins name, following sponsor pressure and calls for change." Washington Post, July 13, 2020. <https://www.washingtonpost.com/sports/2020/07/13/redskins-change-name-announcement/>

⁶⁹ Thompson, Cole. "BREAKING: Washington To Reveal New Name And Logo In Early 2022." Fan Nation, July 10, 2021. <https://www.si.com/nfl/washingtonfootball/news/breaking-washington-football-reveal-new-name-and-logo-nfl>

⁷⁰ "US Inflation Calculator," accessed 2021.

in the works over the next five years include Market Hall, a sports and recreation complex, pedestrian bridges to connect to communities across the Anacostia River, and a memorial to Robert F. Kennedy or an RFK Democracy Center. However, the plans also call for an anchor facility, with possibilities ranging from a 20,000-seat arena, a National Football League Stadium, or an open-air, multi-purpose space.⁷¹ Others, including Congresswoman Norton, have advocated for using the lands for public or affordable housing.⁷² All of these options have positive and negative aspects. However, none of these options can be built under the terms of the current lease.

Housing is not allowed under the terms of the lease as defined by Public Law No. 99-581, which states that the property can only be used for:

- (1) stadium purposes;
- (2) providing recreational facilities, open space, or public outdoor recreation opportunities;
- (3) such other public purposes for which the property was used prior to June 1, 1985; and
- (4) such other purposes for which the property was approved for use by the Secretary [of the Interior] with the concurrence of the National Capital Planning Commission prior to June 1, 1985.⁷³

The law also includes terms that the lease would be terminated and the stadium and lands would revert to the federal government if the District does not comply with these provisions. This means the lands cannot currently be used for the development of housing or non-recreational-based businesses.

Additionally, because the original 50 year term of the lease is set to expire in just 17 years in 2038, it is very difficult to make decisions about or raise funds to build an anchor facility for the RFK stadium site. Building an anchor facility such as those mentioned above requires a large investment by D.C. and by private companies that may use the facility. It is too much money to be spent to

⁷¹ “RFK Stadium Campus - The Future,” Accessed 2021.

⁷² “Norton Introduces Legislation to Sell RFK Stadium Site, Unused Federal Land, to the District of Columbia,” 2019

⁷³ “Text — H.R.2276 — A bill to amend the District of Columbia Stadium Act of 1957 to direct the Secretary of the Interior to convey title to the Robert F. Kennedy Memorial Stadium to the District of Columbia - 99th Congress (1985-1986).” Congress.gov. Accessed 2021. <https://www.congress.gov/bill/99th-congress/house-bill/2776/text>

potentially lose the land in 17 years.⁷⁴ Therefore, the lease must be altered in some form before any major development can occur.

Policy Authorization Tool

The way to extend the length of the lease of the RFK stadium lands is through legislation in Congress. Congresswoman Norton should introduce legislation this month to amend the law to extend the length of the lease by 50 years. This legislation can use the same language as was introduced by the congresswoman in H.R. 3373 in the 115th Congress, which states:

SECTION 1. EXTENSION OF LEASE FOR USE OF GROUND AND PARKING
FACILITIES OF ROBERT F. KENNEDY STADIUM BY GOVERNMENT OF THE
DISTRICT OF COLUMBIA.

Section 7(b) of the District of Columbia Stadium Act of 1957 (sec. 3–326(b), D.C. Official Code) is amended—

(1) in paragraph (2), by striking “The lease” and inserting “Except as provided in paragraph (3), the lease”; and

(2) by adding at the end the following new paragraph:

“(3) The Secretary of the Interior shall extend the lease authorized by paragraph

(1)(B) so that the lease shall be in effect for a total period of 100 years.”⁷⁵

This would amend the District of Columbia Stadium Act of 1957, which in turn had been amended by Public Law No. 99-581 which established the leasing of the lands to DC. This legislation calls for a simple amendment to law that would make the lease effective for 100 years instead of the original 50 years.

This gives enough time for the legislation to be considered and passed during the 117th Congress while Democrats control the House, Senate, and White House. This aligns with the timeline

⁷⁴ O’Connell, 2017.

⁷⁵ “H.R. 3373.”

of demolition of the RFK stadium, which is set to occur in 2022.⁷⁶ Therefore, development of the site could continue without delay. The direct cost to the federal government would be \$0. There would be opportunity cost and potential revenue loss since the federal government would not receive the land back after 2038, when the lease is currently set to expire, for its own use. It's unclear what these costs could be because it's unknown what the federal government would use the land for, how it would generate revenue, how much revenue could be generated, or if the federal government would sell the land at that time. However, a good estimate of potential revenue lost would be the projected revenue gains by the District of Columbia, discussed below. The extension of the lease would give D.C. the ability to negotiate and plan for an anchor facility as well as continue development of the rest of the plans for the site.

Policy Implementation Tool

The policy would be implemented by the Secretary of the Interior being instructed to extend the lease of the lands so that the total period of the lease would be 100 years. This would continue the arrangement between the federal government and the District of Columbia under the same terms it exists now. The District, through Events DC, would continue to manage the lands. Prior to construction on any anchor facility, D.C. would have to get approval for what the facility would be from the National Park Service, who oversees the lands, as well as the National Capital Planning Commission, and the U.S. Army Corps of Engineers.⁷⁷

The upcoming demolition of RFK Stadium will bring renewed focus to this area and the issue of what should replace the stadium. This public attention, supported by the Congresswoman, the mayor, and other D.C. politicians will bring about the necessary conditions for this type of legislation to pass. It will enable D.C. to continue to develop the lands, including awarding contracts for the development of the anchor facility and attracting private companies who wish to rent or build the facility. The lease is the first step in the process towards development of the RFK stadium lands.

⁷⁶ Koma, 2020.

⁷⁷ O'Connell, 2017.

Congress will not have to make decisions about what to do with the land and will be able to continue working with the District, through Events DC. Events DC will be able to move forward with their development plans and seek authorization for an anchor facility.

The costs of this proposal itself to the District include what it will cost to maintain the land for an additional fifty years, but this is variable based on what is developed on the land. This proposal will enable the development of an anchor facility, so these costs should be considered as well. The cost of the first option, a 20,000 seat stadium, can be compared to the cost to build Audi Field, which itself is 20,000 seat stadium. This project cost \$400 million (in 2018\$, \$440 million in 2021\$⁷⁸), of which the city paid \$150 million (in 2018\$, \$165 million in 2021\$) and the D.C. United team's investors paid \$250 million (in 2018\$, \$275 million in 2021\$). The second option of an NFL stadium can be compared to stadiums under construction and recently built in other cities in the United States. The Buffalo Bills have proposed construction of a new stadium costing \$1.4 billion (in 2021\$), with the owners committing to sharing the cost, but with the state and county likely contributing more than 50% of the funding.⁷⁹ SoFi Stadium in Los Angeles cost a staggering \$5 billion (in 2020\$, \$5.3 billion in 2021\$⁸⁰), but was financed completely by the owner of the Rams team.⁸¹ Allegiant Stadium in Las Vegas cost \$1.944 billion (in 2020\$, \$2.073 billion in 2021\$), of which about \$740 million (in 2020\$, \$790 million in 2021\$) was publicly contributed and \$1.2 billion (in 2020\$, 1.28 billion in 2021\$) was covered by the Raiders team and investors.⁸² This shows that the public contribution to the cost of construction of an NFL stadium vary widely and would depend upon the agreement reached with the Washington Football Team. The final anchor facility option of an open-air, multi-purpose space would cost substantially less and would depend on what exactly was constructed.

⁷⁸ "US Inflation Calculator," accessed 2021.

⁷⁹ "Buffalo Bills propose new \$1.4 billion NFL stadium by 2027," CNBC, August 31, 2021. <https://www.cnbc.com/2021/08/31/buffalo-bills-propose-new-1point4-billion-nfl-stadium-by-2027.html>

⁸⁰ "US Inflation Calculator," accessed 2021.

⁸¹ Young, Jabari. "SoFi stadium in LA completes the largest video scoreboard ever made for pro sports," CNBC, July 1, 2020, <https://www.cnbc.com/2020/07/01/sofi-stadium-in-la-completes-the-largest-video-scoreboard.html>

⁸² Akers, Mick. "Allegiant Stadium construction to end up \$25M under budget," Las Vegas Review-Journal, December 9, 2020, <https://www.reviewjournal.com/business/stadium/allegiant-stadium-construction-to-end-up-25m-under-budget-2211276/>

The people who will be most affected by extending the lease will be District residents, particularly those of nearby neighborhoods, who will be able to utilize the land once it can be developed further. This would also benefit D.C. residents if the anchor facility is a revenue raiser and can add to the budget. It will increase enjoyment of the area, and help connect communities across the Anacostia River to the rest of the city.

The RFK stadium lands cannot be significantly developed unless the terms of the lease are altered to allow for long term investment. By extending the terms of the lease, this allows D.C. to remain in control of the lands, and determine what anchor facility should be built. Additionally, extending the lease now allows D.C. to continue to develop the lands usefully following the demolition of RFK stadium, rather than having the land continue to languish as unused and unsightly.

V. Policy Analysis

There has been much debate about what should replace RFK stadium now that it is being demolished. It is near the center of the District of Columbia and many stakeholders hold strong views about competing proposals. The most important thing to accomplish is the goal of making the land more accessible, useful, and productive to residents of the District of Columbia. The policy proposed will accomplish this goal, at least as a first step. However, there are also some limitations that come along with this policy proposal.

Policy Effectiveness

Extending the lease by 50 years is an effective way to ensure long term access to the land. This is a simple extension that would keep the rest of the terms of the lease the same. The District would be able to manage the land as it has for decades. Mayor Bowser has said that long term control is essential to gaining financing for an anchor facility.⁸³ This would be the first step to making the land accessible, useful, and productive to residents of the District of Columbia. However, this also continues to limit the land so that it can only be used for recreational purposes, and would not enable

⁸³ Flynn, 2021.

development of housing or businesses. Development would also require approval from several federal organizations. This could mean that the District is pushed into developing a stadium or other lease-compliant facilities when the best use of the land might actually be something else such as housing or businesses.

Another policy alternative that some would argue could be more effective is to change the terms of the lease to allow for housing or other types of development that would enable the District to decide what the best use of the land is to make it accessible, useful, and productive to residents of the District of Columbia. However if this is not paired with an extension of the length of the lease, it could limit long term development for the same financing reasons as building an anchor facility because the land could revert to the federal government in 2038.⁸⁴ Additionally, altering the terms of the lease would still require the District to seek approval from those federal government agencies for any development plans.⁸⁵

Conveyance is the other prevailing policy alternative, and the one most recently introduced by Congresswoman Norton in the 116th Congress. Conveyance would require the Department of the Interior to sell the stadium land to the District. This would be effective in allowing for the development of land as the District would now own it. Further, this would remove the requirement for the District to get federal approval of development plans, enabling the District to make decisions about the best use of the land to make it accessible, useful, and productive for residents. Reservation 13 was federal land that was conveyed to the District. The District has been able to develop this plot of land, and the project is now in its second phase of development, however it has taken many years for this development to occur.⁸⁶ The time associated with development needs to be taken into account.

⁸⁴ Ibid.

⁸⁵ O’Connell, 2017.

⁸⁶ “Mayor Bowser Announces Equitable Development Opportunity for Hill East Phase II Project.” November 20, 2020.

Overall, the policy proposed of extending the term of the lease by 50 years is an effective way to make the lands more accessible, useful, and productive to the residents of the District since this would enable long term investment in development. However, it is still very limiting in what the District can do with the lands, and other policy proposals more effectively address these limitations.

Reservation 13

The RFK stadium site has some unique conditions that make it difficult to make direct comparisons. However, adjacent to this parcel of land is another area that the federal government used to own, but is now in the hands of the District. Reservation 13 is a 66-acre parcel of land in the Hill East neighborhood of D.C., right next to the RFK stadium site. The image below shows the outline of the land, highlights the land currently under development, and displays its proximity to RFK stadium.

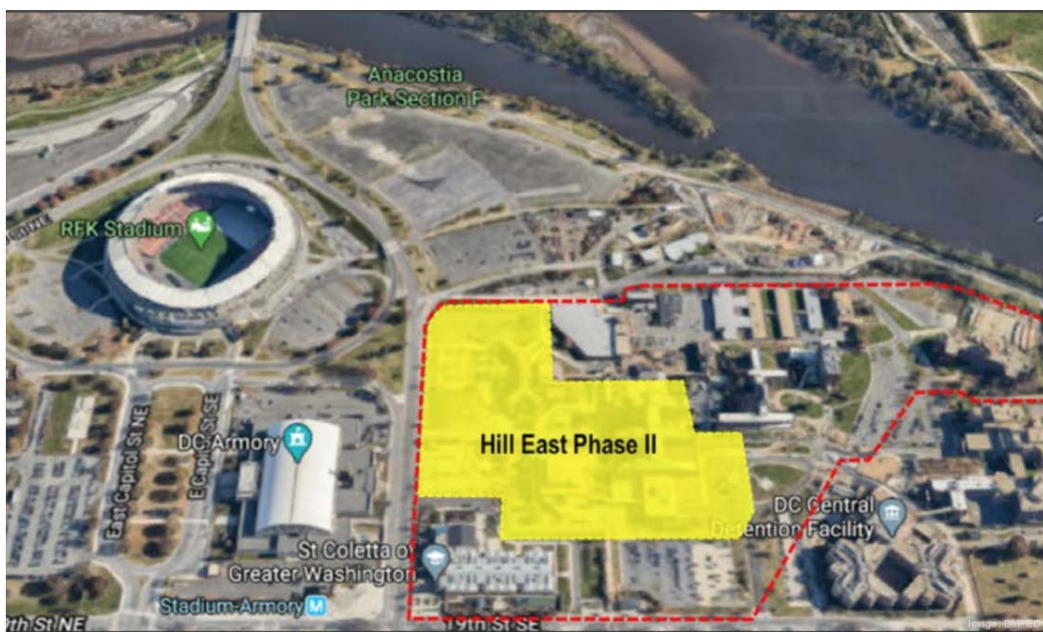


Figure 3: Reservation 13 outlined in red, Hill East Phase II highlighted in yellow.

This land was owned by the federal government until 2006 when Public Law 109-396, the Federal and District of Columbia Government Real Property Act of 2006, was passed which

⁸⁷ Koma, Alex. “A new RFP is out for Hill East’s Reservation 13. D.C. hopes it can be a blueprint for RFK’s eventual transformation.” Washington Business Journal, November 20, 2020. <https://www.bizjournals.com/washington/news/2020/11/20/hill-east-reservation-13-new-rfp.html>.

conveyed the land to the District. In exchange for this land as well as the Old Naval Hospital, the District gave the federal government ownership of property on the west campus of Saint Elizabeths Hospital. This conveyance came with several reporting requirements by the mayor of D.C. for ten years following the conveyance.⁸⁸ Congresswoman Norton introduced this legislation with Rep. Tom Davis (R-VA).⁸⁹

After Reservation 13 was conveyed to the District, city planners drew up an elaborate master plan for redevelopment that included housing, parks, and businesses. It would also continue the city's grid street system all the way to the river and create a new neighborhood. However, these plans did not get put into action as the recession dampened development because of a lack of funds. Reservation 13 development repeatedly got pushed off.⁹⁰ D.C. General Hospital, which was a public hospital located in Reservation 13, closed in 2001. This building became a large family homeless shelter that had its own host of problems and was closed in 2018. This site has had lots of vacant buildings sitting unused and neglected for years since the 2006 conveyance. This shows that conveyance does not always provide expeditious redevelopment, which dampens its effectiveness and timeliness in providing more accessible, useful, and productive use of land for District residents.

Although development of Reservation 13 did not begin as quickly as the city and residents would have liked, much of that was due to external factors including the Great Recession. Construction on Phase I of development of the Hill East finally began in 2018.⁹¹ Phase I is now close to completion, and Phase II of the development was announced by Mayor Bowser in November 2020,⁹² with development teams being announced in November 2021.⁹³ This development includes

⁸⁸ "H.R.3699 - Federal and District of Columbia Government Real Property Act of 2006." Congress.gov. Accessed 2021. <https://www.congress.gov/bill/109th-congress/house-bill/3699>.

⁸⁹ "President Signs Land Transfer Bill Bringing Valuable Sites for New Housing." Congresswoman Eleanor Holmes Norton, December 15, 2006. <https://norton.house.gov/media-center/press-releases/president-signs-land-transfer-bill-bringing-valuable-sites-for-new>.

⁹⁰ Austermuhle, Martin. "Remaking Reservation 13: Why A Plot Of Undeveloped D.C. Land Remains Untapped." WAMU 88.5, February 6, 2015. https://wamu.org/story/15/02/06/remaking_reservation_13_why_a_major_plot_of_undeveloped_dc_land_remains_untapped/.

⁹¹ "Hill East," DC.gov. Accessed 2021. <https://dc.gov/hilleast>.

⁹² "Mayor Bowser Announces Equitable Development Opportunity for Hill East Phase II Project." November 20, 2020.

⁹³ "Mayor Bowser Selects Development Teams for Hill East Phase II EquityRFP." November 2, 2021.

housing, retail, and green spaces. The first building constructed delivered “262 rental units, approximately 12,000 SF of retail, 111 parking spaces and green frontage.”⁹⁴ It cost approximately \$85 million (in 2018\$, \$93 million in 2021\$)⁹⁵. This type of mixed use development is beneficial to the city because it can be done privately through the awarding of contracts. This means that it raises money for the city instead of the city having to bear the brunt of the costs. Additionally, the city is able to hear a wide variety of proposals for what to do with the land, from affordable housing to headquarters to companies to retail stores such as Home Depot.⁹⁶ D.C. can take input from residents and stakeholders and decide what the best use of the land is. This shows the benefit to the city when the federal government conveys the land.

Cost Benefit Analysis

This proposal would not directly cost the federal government any money. It would involve some indirect costs such as opportunity cost as the federal government could use this land for other purposes after 2038 or could sell the land, which would generate revenue from the sale. The extension of the lease itself would not cost the District of Columbia money, but the development and upkeep of that land as a result of the extension would. These costs include the upkeep costs of the land for an additional 50 years plus the cost of any development of the land. Events DC has projected that the development of the site will cost \$490 million (in 2016\$, \$560 million in 2021\$). This is projected to be covered in the District’s budget by using money from Events DC’s fund and by taxes on the hotel and restaurant industries in the city.⁹⁷ This does not include the cost of construction or maintenance of an anchor facility. How much the anchor facility would cost varies based on what facility the District selects and the terms of that development.

⁹⁴ “Hill East,” Accessed 2021.

⁹⁵ “US Inflation Calculator,” accessed 2021.

⁹⁶ Zauzmer Weil, Julie. “Home Depot? Assisted living? A hotel? Many options for one of D.C.’s last vacant parcels.” Washington Post, May 28, 2021. https://www.washingtonpost.com/local/dc-politics/dc-reservation-13/2021/05/28/d5459a26-be37-11eb-9c90-731aff7d9a0d_story.html.

⁹⁷ O’Connell, 2017.

RFK stadium, which the District did not have to pay to build as the federal government had already built it, cost \$3.5 million (in 2019\$, \$3.7 million in 2021\$)⁹⁸ to maintain, even when it was not being used.⁹⁹ It cost more to maintain when being used, but this was offset by rents paid by the various teams that occupied it. A comparison to make is to Nationals Park, which the District currently owns while the Nationals team pays \$5.5 million in rent (in 2013\$, \$6.5 million in 2021\$), until 30 years have passed and ownership transfers to the Nationals. Maintenance costs the city \$1.5 million a year (in 2013\$, \$1.7 million in 2021\$), while security costs tens of thousands of dollars per game. There are also other costs such as the \$38 million a year (in 2013\$, \$45 million in 2021\$¹⁰⁰) in debt service, loss of property taxes of \$200,000 to \$500,000 (in 2013\$, \$237,000 to \$593,000 in 2021\$) and other social and opportunity costs.¹⁰¹ On the other hand, Audi Field is owned by the D.C. United team and the District does not have to pay for maintenance. The District contributed \$150 million (in 2018\$, \$165 million in 2021\$) to the construction of the stadium, but does not have the same continuing costs or revenues since it does not own the stadium.¹⁰²

An anchor facility would have substantial costs on top of the short term development costs, and it would depend on which type of facility was selected. For example, Nationals Stadium cost \$693 million (in 2008 \$, \$890 million in 2021\$) for the District to build.¹⁰³ Capital One Arena (originally called the MCI Center) was privately funded and cost \$200 million (in 1997\$, \$340 million in 2021\$) to build plus \$79 million (in 1997\$, \$136 million in 2021\$) to acquire the land.¹⁰⁴ FedEx Field, the stadium in Landover, Maryland where the Washington Football Team currently

⁹⁸ “US Inflation Calculator,” accessed 2021.

⁹⁹ McCartney, 2019.

¹⁰⁰ “US Inflation Calculator,” accessed 2021.

¹⁰¹ Cranor, David. “Was Nationals Park worth it for DC?” Greater Greater Washington, August 27, 2013, <https://ggwash.org/view/32079/was-nationals-park-worth-it-for-dc>

¹⁰² Sernovitz, Daniel J. “Audi Field could emerge as the catalyst for Buzzard Point, but only time will tell,” Washington Business Journal, July 10, 2018 <https://www.bizjournals.com/washington/news/2018/07/10/audi-field-could-emerge-as-the-catalyst-for.html>

¹⁰³ Lemke, Tim. “Ballpark’s Final Tag: \$693 million” Washington Times, January 7, 2009. <https://www.washingtontimes.com/blog/sportsbiz/2009/jan/7/ballparks-final-tag-693-million/>

¹⁰⁴ Thompson, Cheryl W. “City Paying for Police at MCI Center.” Washington Post, April 30, 1998. <https://www.washingtonpost.com/archive/politics/1998/04/30/city-paying-for-police-at-mci-center/fad742cb-7872-41bc-84ce-cdc0085c27ad/>

play, cost \$250 million (in 1996\$, \$440 million in 2021\$) to build, and has had over \$130 million (in 2001\$, \$203 million in 2021\$) worth of improvements over the years.¹⁰⁵ Some of the money to build a new stadium could be obtained through a public-private partnership. However, many stadiums built today are financed with large amounts of public funds or subsidies.¹⁰⁶ Costs of recent construction of other NFL stadiums range widely depending on the percentage paid by the municipality versus paid by private investors. The cost of the new Rams stadium in Los Angeles was entirely privately financed,¹⁰⁷ while a proposal for a new Bills stadium would cost the state and county at least \$700 million (in 2021\$).¹⁰⁸

Although these costs are substantial, the benefits are as well. Events DC estimates that the project to redevelop the RFK stadium site will create 1,380 construction jobs both directly and indirectly, as well as generate \$4.5 million annual tax revenues (in 2016\$, \$5.1 million in 2021\$).¹⁰⁹ Further, 540 permanent jobs would be created, and the 30-year tax revenues would be \$112 million (in 2016\$, \$129 million in 2021\$).¹¹⁰ This represents a real economic benefit to the District of Columbia as a revenue raiser.

The anchor facility could provide additional economic benefits as well, depending on the agreement reached. If it was publicly owned, any team would have to pay millions to rent the facility. Further, any events that made use of the anchor facility would generate revenue from renting the facility, which runs an average of \$1.2 million to \$1.8 million (in 2018\$, \$1.3 million to \$2 million in 2021\$) for a concert or event.¹¹¹ However, if the stadium would be privately owned, the District would not receive rent, but could receive property tax revenue. Additionally, some would argue that

¹⁰⁵ “Facts about FedEx Field” Washington Business Journal, September 11, 2010. <https://www.bizjournals.com/washington/stories/2010/09/06/daily37.html>

¹⁰⁶ Zaretsky, Adam M. “Should Cities Pay for Sports Facilities?” Regional Economist, Federal Reserve Bank of St. Louis, April 1, 2001. <https://www.stlouisfed.org/publications/regional-economist/april-2001/should-cities-pay-for-sports-facilities>.

¹⁰⁷ Young, 2020.

¹⁰⁸ “Buffalo Bills propose new \$1.4 billion NFL stadium by 2027,” 2021.

¹⁰⁹ “US Inflation Calculator,” accessed 2021.

¹¹⁰ “RFK Stadium Campus - The Future,” Accessed 2021.

¹¹¹ Runcie, Dan. “Why Choosing The Right Concert Venue Matters.” Trapital, September 13, 2018. <https://trapital.co/2018/09/13/why-choosing-the-right-concert-venue-matters/>.

the anchor facility and development as a whole could generate revenue for the city indirectly by attracting people from outside the city to come into the city to spend money. Further, development could also attract District residents to come to this part of the city to spend money as well, providing economic development to the eastern part of the city. Spending at local businesses would rise, which would turn into additional spending by businesses or the people who work there.¹¹² It could revitalize the neighborhood, spurring other economic benefits. On the other hand, there is increasing research that shows the promise of spending public funds on stadiums in order to attract economic activity falls apart in reality, and that stadiums have served to enrich private owners instead of helping revitalize cities.¹¹³

It is essential that the city choose the right type of anchor facility that would generate revenue that would not be dwarfed by costs, or negotiate an agreement with a private partner that would have them pay for the majority of the stadium. Many studies have come out with evidence showing that the cost of municipally built stadiums far exceeds economic benefits. The cities themselves usually do not receive any direct benefits from the revenues of the stadium itself, such as tickets or concessions, and must rely on indirect benefits that do not always materialize. This is in part due to a 1986 act by Congress that limited the amount of tax-free municipal bonds used to fund the projects could be reimbursed by revenues or lease payments to only 10 percent. This was to try to limit the stadiums being financed by municipal bonds because it would be such high costs to cities, but instead cities have continued to finance stadiums despite this limitation.¹¹⁴

Football stadiums may be the worst type of public investment in stadiums because the costs are so high and there are only 8-12 home games within an NFL season, meaning there are relatively few opportunities to draw people into the city. A study by Charles Santo showed that only a capital investment of only up to \$74 million (in 2007\$, \$98 million in 2021\$) will result in net benefits for

¹¹² Zaretsky, 2001.

¹¹³ deMause, Neil and Cagan, Joanna. *Field of Schemes: How the Great Stadium Swindle Turns Public Money into Private Profit*, Bison Books, 2008.

¹¹⁴ Paulas, Rick. "Sports Stadiums Are a Bad Deal for Cities," The Atlantic, November 21, 2018. <https://www.theatlantic.com/technology/archive/2018/11/sports-stadiums-can-be-bad-cities/576334/>.

the city, and this is far less than what most stadiums cost to build.¹¹⁵ Thus, even medium-sized stadiums can result in net losses for the city.¹¹⁶ Therefore, the city must carefully select an anchor facility that will attract visitors into the city without costing the District too much.

Additional costs of this proposal include the opportunity cost of not expanding what the land can be used for. This proposal does not change the terms of the lease of the land from the federal government, so development would continue to be limited to recreational uses. This means the city would not be able to develop any housing or other businesses. Those types of development have lower costs to the city and higher benefits. The other policy solutions of changing the terms of the lease to allow for other development or having the federal government convey the land to the District would enable the city to determine what the true best use of the land is. This way, the District could conduct a true cost benefit analysis of all development options without being limited in what they are allowed to develop. However, conveyance itself would have costs since the District would have to pay fair market value for the land under recent proposals.

The Need for Timely Action

Demolition of RFK stadium is set to occur in 2022, after already being delayed due to COVID-19.¹¹⁷ Additionally, the stadium has sat almost entirely unused since 2017, when the D.C. United Soccer team vacated the building.¹¹⁸ That means that District residents have not had use of the center of this land for four years, and it will be several more years before demolition and any construction could take place. There has been some increase in the use of the land with the building of The Fields at RFK Campus. However, the main portion of this land has not been accessible, useful, or

¹¹⁵ Santo, Charles A. "Beyond the Economic Catalyst Debate: Can Public Consumption Benefits Justify a Municipal Stadium Investment?" *Journal of Urban Affairs*, Vol. 29, Issue 5, December 2007, <https://web.p.ebscohost.com/ehost/detail/detail?vid=2&sid=ac11ca21-32d0-4a24-aaca-95c67ec58271%40redis&bdata=JkF1dGhUeXBIPWlwLHNNoaWImc2l0ZT1laG9zdC1saXZlJnNjb3BIPXNpdGU%3d#AN=27397265&db=asn>.

¹¹⁶ Taks, Marijke; Kesenne, Stefan; Chalip, Laurence; Green, B. Christine; Martyn, Scott. "Economic Impact Analysis Versus Cost Benefit Analysis: The Case of a Medium-Sized Sport Event." *International Journal of Sport Finance*, Vol. 6, Issue 3, August 2011, <https://web.p.ebscohost.com/ehost/detail/detail?vid=0&sid=3d686db2-5b6e-4ffb-9be6-90b5103dfb9f%40redis&bdata=JkF1dGhUeXBIPWlwLHNNoaWImc2l0ZT1laG9zdC1saXZlJnNjb3BIPXNpdGU%3d#db=s3h&AN=67546478>

¹¹⁷ Koma, 2020.

¹¹⁸ Goff, 2017.

productive to District residents for years, with more years to come. This means that it is essential to secure long term access to this land as soon as possible. That way, when demolition is complete, development can occur without delay. This will ensure that residents will gain access to use the land as quickly as possible.

The policy proposed is a simple amendment of current law that would extend the lease, which can be accomplished quickly upon passage. Conveyance, on the other hand, would take longer since it would require sale of the land to the District which would require analysis on fair market value as well as a payment plan by the city. However, lease extension will not change the core of the dynamics between the federal government and the District over the land. To get any development approved, it will have to go through many different organizations including Events DC, the Mayor's office, the D.C. Council, the National Capital Planning Commission, the Army Corps of Engineers, the National Parks Service, and the Department of the Interior. Further, District residents, businesses, and ANC Commissioners will get involved to help sway what anchor facility will be built. Additionally, Congress could decide to step in if it is displeased with development and wants to assert more control over the process. Having to get development approved by so many different entities means that although the proposed solution may be quickest to getting the lease extended, it will not remove the many of the barriers to actual development.

Overall there are pros and cons to the proposal to extend the lease. There are benefits that it makes the land accessible right away and could provide revenue. However, construction of an anchor facility would likely have high costs. Further, simply extending the lease and not changing the terms limits what development can be done. On the other hand, there are benefits and limitations to the other policy solutions as well. Changing the terms of the lease to allow for housing or other development would give the District more options and potentially lower costs. However, the city would still have to get approval from several federal government agencies which might deny certain types of development. Getting the federal government to convey the land to the District provides the most flexibility to the city and allows it to autonomously decide what to do with the land. However,

the District would likely have to pay fair market price for the land. Additionally, conveyance would not mean that the land would quickly get developed, as is seen in the example of Reservation 13. All of these conditions need to be kept in mind when considering whether to move forward with the policy.

VI. Political Analysis

The issue of what to do with the RFK stadium site is controversial and many stakeholders have different opinions. If we drill down to the problem at hand, it is really about how to get long term control of the land for the District so that funding for long term development can be acquired. However, depending on how this long term control is gained makes it more likely that one type of development or another may occur. Extension of the lease means that the District would still be limited to development for recreational purposes and prohibited from other types of development like housing. Proponents of building a stadium, whether it be a football or other type of stadium, may prefer this route since it restricts development to their preference. On the other hand, conveyance opens up possibilities for other development, including housing. Conveyance would not guarantee that housing would be chosen for development, but supporters of using the land for housing would likely prefer this method since housing development could legally occur. The relatively simple issue of extension versus conveyance quickly gets complicated by the more complex question of how the land should be developed. Advocates on either side know whichever method is picked may be a major determining factor in what is ultimately developed on the RFK stadium site.

Stakeholder Stances

As with many issues regarding the District, there are numerous stakeholders, both local and federal, when it comes to the RFK Stadium site. Mayor Bowser has made it clear that she would prefer a new football stadium be built on the site to bring the Washington Football Team back to D.C.¹¹⁹ In recent years, the mayor has advocated for conveyance of the land to D.C. so that the city

¹¹⁹ Kurzius, Rachel. “‘A National Park Dedicated To Asphalt’: RFK Could Belong To D.C. If Bill Passes” WAMU, March 22, 2019. <https://wamu.org/story/19/03/22/a-national-park-made-of-asphalt-rfk-could-belong-to-d-c-if-bill-passes/>

may be in control of what is developed there.¹²⁰ However, she has also supported extension of the lease of the land in the past. In 2018, Mayor Bowser worked with Republicans in Congress to try to include an extension of the lease into the must-pass year-end spending bill. This was an effort that also included talks with Dan Snyder and the Washington Football Team organization to help enable the return of the team to the District before Democrats took back control of the House of Representatives in January 2019.¹²¹ This provision was ultimately not included in the spending package, which faced many other issues due to former President Trump's insistence on funding for a border wall leading to a government shutdown.

The push for the lease extension under Republican control of Congress was due to the fact that the preference of Republicans is to have a football stadium built on the site.¹²² They knew that lease extension faced an uphill battle with Democrats while the Washington Football Team was still named the Redskins.¹²³ Although the lease extension did not necessarily mean that a football stadium would be the chosen anchor facility, it made it easier for that to be the outcome. Democrats in Congress again opposed inclusion of a lease extension in a must-pass spending bill in December 2019. Congresswoman Norton attempted to facilitate a meeting between Mayor Bowser, D.C. Council Chairman Phil Mendelson, and Chairman of the House of Representatives Natural Resources Committee, Rep. Raúl M. Grijalva (D-AZ). This meeting broke down over concerns about whether the council would get to review any plans for the site.¹²⁴

Chairman Grijalva opposed the measure because he did not want to set the precedent of putting this type of measure into an appropriations bill. He additionally cited concerns of the name of

¹²⁰ Bowser, Muriel E.; Gray, Vincent C.; Fenty, Adrian; Williams, Anthony A.; Pratt, Shannon. "Opinion: Congress should let D.C. buy RFK Stadium" Washington Post, November 29, 2019. https://www.washingtonpost.com/opinions/local-opinions/congress-should-let-dc-buy-rfk-stadium/2019/11/29/f6bedcc4-1086-11ea-9cd7-a1becbc82f5e_story.html

¹²¹ Clarke, Liz and DeBonis, Mike. "Redskins, D.C. working with Congress to slip stadium provision into spending bill." Washington Post, December 7, 2018. https://www.washingtonpost.com/powerpost/redskins-dc-working-with-congress-to-slip-stadium-provision-into-spending-bill/2018/12/07/bfb40de8-fa3d-11e8-8c9a-860ce2a8148f_story.html

¹²² Ibid.

¹²³ Clarke, Liz. "Unless Daniel Snyder changes Redskins' name, RFK site is off the table, officials say" Washington Post, July 1, 2020. <https://www.washingtonpost.com/sports/2020/07/01/unless-daniel-snyder-changes-redskins-name-rfk-site-is-off-table-officials-say/>

¹²⁴ Debonis, et. al, 2019.

the Washington Redskins, with many other Democrats echoing this sentiment.¹²⁵ Since the Washington Football Team dropped the Redskins name in July 2020, this helps alleviate some of the concerns of Congressional and District Democrats. However, some Democrats in Congress oppose any measure that would give Dan Snyder, the billionaire owner of the team, access to public assets because of his wealth.¹²⁶

The D.C. Council has mixed opinions about what to do with the site and whether it should be acquired, with most of the council opposing construction of a football stadium. Chairman Phil Mendelson and Councilman Charles Allen, of Ward 6 which neighbors the stadium, worked to include provisions in the 2019 District spending plan that would prohibit the use of District funds to purchase the RFK stadium site.¹²⁷ This was a blow to conveyance efforts. However, the reason behind this effort is because the Council largely opposed efforts to build a football stadium due to concerns over the Redskins name, opposition to the cost of a football stadium, and a desire to use the land for subsidized housing instead. On the other hand, some members of the Council do support a return of football to the city, including Councilman Vincent Gray, former mayor of D.C. and current Council representative of Ward 7, where RFK stadium is located.¹²⁸ The name change of the team helps alleviate one of these concerns although cost concerns and a desire for subsidized housing still remain. The Council may oppose lease extension under the same grounds that it opposed efforts to buy the land in 2019. However, because lease extension does not include an exchange in money, like conveyance proposals do, there may be less resistance or less ways to resist. Again, it is important to emphasize that lease extension does not mean that a football stadium will necessarily be built, but it gives the city the option to determine what type of anchor facility would be built.

¹²⁵ Debonis, et. al, 2019.

¹²⁶ Ibid.

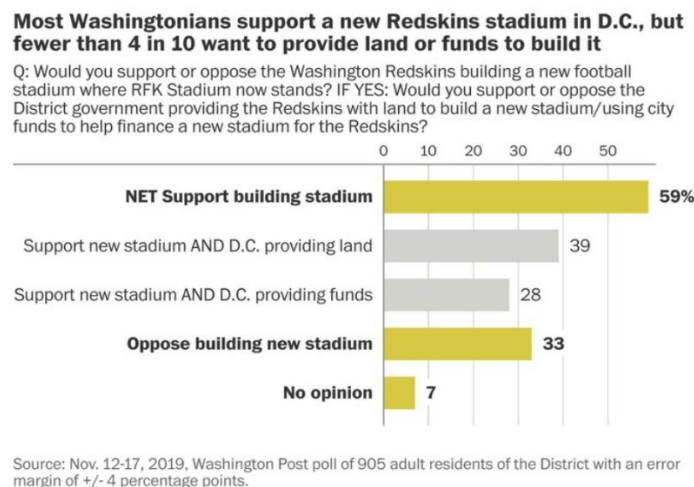
¹²⁷ Koma, Alex. "Mendelson aims to block D.C. from purchasing RFK stadium site." Washington Business Journal. June 17, 2019. <https://www.bizjournals.com/washington/news/2019/06/17/mendelson-aims-to-block-d-c-from-purchasing-rfk.html>

¹²⁸ Kurzius, Alex. "Should D.C. Get A New NFL Stadium? Here's Where Our Councilmembers Stand." DCist, September 4, 2018. <https://dcist.com/story/18/09/04/heres-where-councilmembers-stand-on/>

Overall, a lot of the political opposition to recent lease extension efforts is due to the possibility that it would mean construction of a football stadium. Democratic Members of Congress and the D.C. Council have been opposed to a football stadium for several reasons, but high on the list was the former name of the Washington Football Team. Since this name has been changed, there could be more traction on this issue. Emphasizing that lease extension allows for development of an anchor facility, but that it will not necessarily be a football stadium, could help assuage concerns.

Public Opinion

It is difficult to determine public opinion about the issue of extension of the lease or conveyance of the RFK stadium lands in particular. However, there are other related issues that can shed light on how the public feels about the future of the RFK stadium site. In a 2019 poll of District residents, 59% of respondents supported building a new football stadium where RFK stadium now stands, and 33% of respondents were opposed to building a new football stadium at the site.¹²⁹ However, support dropped substantially when asked if the District should provide the land for a new stadium or if the District should provide funds for a new stadium, as seen in the figure below.



EMILY GUSKIN/THE WASHINGTON POST 130

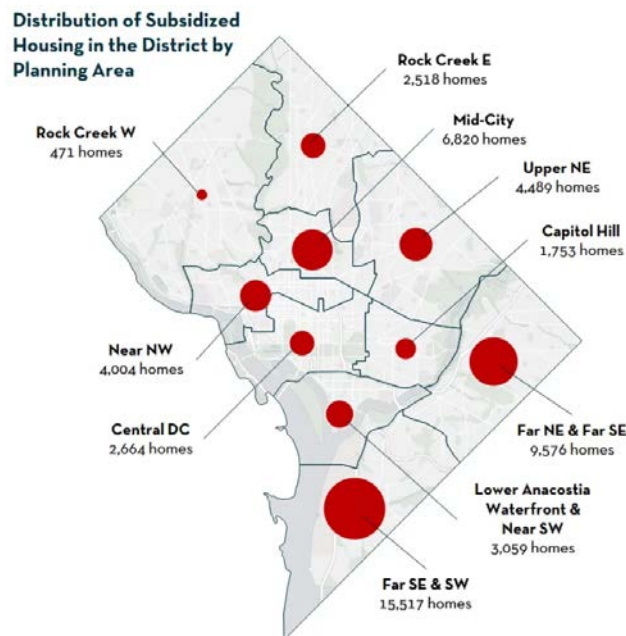
Figure 4: Washington Post poll of District residents about building new football stadium

¹²⁹ “Washington Post District of Columbia poll, Nov. 12-17, 2019” Washington Post, Updated August 20, 2020. https://www.washingtonpost.com/context/washington-post-district-of-columbia-poll-nov-12-17-2019/0a10f83f-65f3-4fd2-aed8-c3943fbe95ac/?tid=lk_inline_manual_2&itid=lk_inline_manual_2

¹³⁰ Maese, Rick and Guskin, Emily. “Most Washingtonians want a new Redskins stadium on RFK site but not the bill, Post poll find.” Washington Post, November 22, 2019. <https://www.washingtonpost.com/sports/2019/11/22/most-washingtonians-want-new-redskins-stadium-rfk-site-not-bill-post-poll-finds/>

This shows there is support for a stadium, but that if construction of the stadium is contingent on the District providing land and funding, the public support would not be there.

It would be useful to conduct polling to determine what anchor facility or other development the public would like to see most for the RFK stadium site. Overall, D.C. residents oppose vacant lots,¹³¹ and the RFK stadium site has sat mostly unused for years already. Affordable housing is one of the other options mentioned for development of the site, although it is currently prohibited by the terms of the lease of the land. This is a reason many have called for conveyance of the land rather than extension of the lease so that the District could determine its best use, potentially including housing. The D.C. Department of Housing and Community Development (DHCD) and the Office of Planning (OP) conducted a survey of District residents in 2019 to determine whether current distribution of subsidized housing across the city is fair and where affordable housing development should occur in the future. The survey showed the current distribution of subsidized housing in the District, about half of which is located in Wards 7 and 8, as seen on the map below.¹³²



133

Figure 5: Map showing the distribution of subsidized housing in the District of Columbia by planning area

¹³¹ Lai, Stephanie. "D.C.'s problems with vacant, blighted properties haven't gone away, residents and officials say." Washington Post, July 28, 2021. <https://www.washingtonpost.com/dc-md-v/2021/07/28/dc-vacant-blighted-properties/>

¹³² Giambrone, Andrew. "Survey: Where should D.C. build more affordable housing?" Curbed, July 25, 2019. <https://dc.curbed.com/2019/7/25/8929943/dc-development-affordable-housing-gentrification-survey-planning>

¹³³ Ibid.

The results showed that 80% of respondents felt strongly or very strongly that the distribution of subsidized housing in the District was unfair and that it should change. Further, respondents said that other areas, particularly in the northwest quadrant of the District and the Capitol Hill neighborhood, should have more of the subsidized housing development moving forward.¹³⁴ Although the stadium site is in Ward 7, it is part of the same planning area as Capitol Hill. This was one of the areas where respondents thought there should be more subsidized housing. It is hard to find new areas for subsidized housing in established neighborhoods, and the stadium site represents a large portion of land that could be developed for housing, if that was legally allowed. Conveyance, rather than lease extension, would allow for housing development of the site and would likely be supported by residents who want to see subsidized housing in this planning area.

The RFK stadium site issue is not directly related to D.C. statehood, but it speaks to some of the same principles of home rule and self-determination. Mayor Bowser, and four former D.C. mayors, wrote an opinion piece in the Washington Post in support of Congresswoman Norton's proposal for conveyance of the land in H.R. 1883 of the 116th Congress. They wrote about the benefits of development, and also emphasized the need for the District to get to decide for itself what should be developed.¹³⁵ Conveyance, rather than an extension of the lease, represents the District getting to decide more for itself rather than having to borrow from the federal government and continue to ask permission for what to build. The argument for D.C. statehood is not only about equal representation, but also the right of the District to make decisions for itself.¹³⁶

District residents overwhelmingly support D.C. statehood, with 86% of voters favoring statehood in the 2016 referendum.¹³⁷ On the other hand, national support for D.C. statehood is mixed.

¹³⁴ Goggin, Brian. "There should be more subsidized housing in wealthy parts of DC, survey takers say." Greater Greater Washington, September 25, 2019. <https://gwwash.org/view/74003/the-distribution-of-subsidized-housing-in-dc-is-unfair-a-new-survey-shows>

¹³⁵ Bowser, et. al, 2019.

¹³⁶ Norton, Eleanor Holmes and Sarbanes, John. "An inclusive democracy Demands DC statehood." The Hill, February 24, 2020. <https://thehill.com/blogs/congress-blog/politics/484363-an-inclusive-democracy-demands-dc-statehood>

¹³⁷ "Why Statehood for DC," DC Statehood, last updated 2019, accessed 2021. <https://statehood.dc.gov/page/why-statehood-dc>

A Fortune/SurveyMonkey poll in January 2021 showed 49% of respondents in support of statehood and 45% opposed. However, a March 2021 poll by RMG Research showed only 35% support, and 41% opposed.¹³⁸ Statehood prospects have stalled since the House passed H.R. 51 in April 2021, as there is not enough support in the Senate.¹³⁹ Pushing for conveyance shows support for self-determination for the District, while extending the lease could represent a capitulation to federal interests. It is important to weigh the messaging of supporting extension versus conveyance, but also keep in mind the importance of timing and getting something accomplished.

Road to Passage

The timing of this policy proposal is important as its goal is to align with demolition of RFK Stadium. This would help ensure that there is minimal down time between demolition and construction of an anchor facility. There have been two efforts, in 2018 and 2019, to include extension of the RFK stadium lease in appropriations packages. These attempts failed, but it shows that this method can spark conversation and effort. The biggest hurdle to extension has been the former name of the Washington Football Team. Now that the team has changed its name, it will make it easier to overcome this hurdle. Conveyance may face additional hurdles because the D.C. Council could again prohibit District funds from being used to purchase the land and build a stadium like it did in 2019. Additionally, Republicans have supported the lease extension in the past, and would seem likely to again as they favor stadium development and generally oppose subsidized housing development.^{140 141}

Attaching the lease extension to appropriations bills has been the approach in the past, as they are must-pass bills. However, Chairman Grijalva has stated that he opposes using appropriations bills

¹³⁸ Skelley, Geoffrey. "What Americans Think About D.C. Statehood, Anti-Asian Discrimination And LGBTQ Rights" Five Thirty Eight, March 26, 2021. <https://fivethirtyeight.com/features/what-americans-think-about-d-c-statehood-anti-asian-discrimination-and-lgbtq-rights/>

¹³⁹ Cochrane, Emily. "House Approves D.C. Statehood, but Senate Obstacles Remain." New York Times, April 22, 2021. <https://www.nytimes.com/2021/04/22/us/politics/dc-statehood-vote.html>

¹⁴⁰ Bowser, et. al, 2019.

¹⁴¹ Shaw, Randy. "The Republican War on Affordable Housing." Beyond Chron, July 6, 2015. <https://beyondchron.org/the-republican-war-on-affordable-housing/>

for this type of measures because he believes it sets a bad precedent.¹⁴² Congresswoman Norton can introduce the bill to extend the lease and work to get it passed on its own. Although it is unlikely to receive dedicated floor time, it could pass more easily if there is agreement on both sides of the aisle about the approach. Another strategy would be to include this as part of the Build Back Better reconciliation package which the President is pushing to pass. It's unclear if the measure would survive the Byrd rule in the Senate that requires the matter to have budgetary impact, but it's also unclear if a point of order would be raised against the matter if Republicans are in agreement. If the lease extension is not added to any must-pass bills this year, next year will offer new opportunities for passage. However, as next year is an election year, less legislation may get passed. Additionally, Congresswoman Norton could work again to bring together the stakeholders, namely Mayor Bowser, Council Chairman Mendelson, and Committee Chairman Grijalva to meet to work on a path forward. It's important to emphasize that no final decisions about the anchor facility have been made, and that it would be best to meet to work through policy differences.

Political Ramifications for Congresswoman Norton

Congresswoman Norton has long been a supporter of D.C. statehood. This year, the effort for statehood has gained traction, and the congresswoman has been in the spotlight because of it.¹⁴³ To build on this success, particularly since movement on statehood has stalled, securing extension of the lease of the RFK stadium site would be a victory for the congresswoman. This first step in Congress is crucial to moving forward to secure funding for further development of the site, as Mayor Bowser has explained that the city cannot secure funding without long term control of the site.¹⁴⁴ As demolition of RFK stadium nears, it would be better if Congresswoman Norton can help clear the way for future development rather than have Congress continue to be an impediment to progress. If

¹⁴² Debonis, et. al, 2019.

¹⁴³ Flynn, 2021.

¹⁴⁴ Bowser, et. al, 2019.

the RFK stadium lot remains empty and undeveloped for years because there has been no movement in Congress, this could reflect poorly on the congresswoman.

On the other hand, advocating for extension of the lease rather than conveyance may appear like a betrayal of self-determination principles, which D.C. statehood is based on and the congresswoman supports. Conveyance would give D.C. total control over the land, rather than being beholden to federal landlords and having to get permission from several federal organizations before any development. Particularly as Mayor Bowser has called publicly for conveyance and the congresswoman has supported conveyance before, publicly taking a different stance now would make the difference between the positions more glaring. This could weaken the congresswoman's bona fides on self-determination, and by extension, statehood. It is crucial for the congresswoman to balance messaging and advocating for D.C.'s right to make decisions for itself with actually making progress on this issue and avoiding years of a vacant lot.

Congresswoman Norton ran unopposed in the 2020 Democratic primary, and handily won the general election with 86.3% of the vote.¹⁴⁵ Looking ahead to the 2022 election, The Reverend Wendy Hamilton has already declared her intention to run.¹⁴⁶ Notably, most political observers believe that Congresswoman Norton is favored to win in 2022.¹⁴⁷ On the other hand, the House of Representatives is likely to flip to Republican control in 2022.¹⁴⁸ While Republicans have worked on the lease extension in the past, they were allied with Washington Football Team owner Dan Snyder. They were working to extend the lease in order to enable a football stadium and to perhaps preclude other development options.¹⁴⁹ It may be to Congresswoman Norton and the District's benefit to work

¹⁴⁵ "Eleanor Holmes Norton." Ballotpedia, accessed 2021. https://ballotpedia.org/Eleanor_Holmes_Norton#See_also

¹⁴⁶ Klain, Chris. "Who's lined up to run in the 2022 primaries?" DCist, October 27, 2021, Last updated November 10, 2021. <https://thedcline.org/2021/10/27/whos-lined-up-to-run-in-the-2022-primaries/>

¹⁴⁷ Chibbaro Jr., Lou. "MCC Church minister to run for D.C. congressional delegate seat." Washington Blade, February 1, 2021. <https://www.washingtonblade.com/2021/02/01/mcc-church-minister-to-run-for-d-c-congressional-delegate-seat/>

¹⁴⁸ Rakich, Nathaniel. "It Looks Like House Democrats Are Worried About The 2022 Midterms." Five Thirty Eight, October 12, 2021. <https://fivethirtyeight.com/features/it-looks-like-house-democrats-are-worried-about-the-2022-midterms/>

¹⁴⁹ Clarke, et. al, 2019.

to get extension passed while Democrats still control the House because this could leave development options open rather than being pigeonholed by Republicans.

VII. Recommendation

I recommend that Congresswoman Norton refrain from introducing this policy proposal of lease extension legislation at this time and reevaluate next year. This ensures that no policy options to secure long term control of the land for D.C. are excluded from being considered for inclusion in the legislation that must pass before the end of this year. Lease extension and conveyance each have pros and cons, but it would be better to get either policy option passed rather than neither. By introducing legislation at this time, it would plant the congresswoman's flag too firmly in the lease extension camp and might prevent the inclusion of any provision that ensures long term management of the stadium land in must-pass legislation. In the meantime, Congresswoman Norton should work to set up a meeting between Mayor Bowser, Council Chairman Mendelson, and Committee Chairman Grijalva to again try to get movement on this issue.

The goal of this policy proposal is to enable development of the RFK Stadium site within two years by securing long term management of the land by the District. The policy proposal of extending the lease is effective since it would secure the long term management of the land that is needed to obtain financing for any development projects. However, it is also limiting because the District would continue to only be allowed to use the land for recreational purposes. Additionally, the District would have to seek approval for any development from several federal government agencies, which could be limiting or slow down the process.

It is important to act in a timely manner in order to avoid delays following the 2022 demolition of RFK stadium. Lease extension is likely the quicker way to secure long term management of the land since it has been considered before and has more bipartisan support in Congress. Additionally, Democrats in Congress are more likely to support action enabling long term development of the site now that the Washington Football Team has changed its name. Conveyance would likely face more opposition in Congress, particularly from Republicans who oppose using the

site for public housing, and thus take longer to get passed into law. However, District politicians prefer conveyance since it aligns with self-determination principles and would allow the District to have complete control over what would be developed on the stadium lands. District residents would likely prefer this as well, although they also are also likely to prefer action and development over continued inaction and languishment. The congresswoman needs to balance the importance of appealing to Congressional interests in order to secure long term management quickly with the politics in the District.

That is why I recommend not introducing any legislation about this policy at this time. The congresswoman should work behind the scenes to get long term management of the lands included in one of the must-pass year-end legislative efforts through lease extension or other methods including conveyance. Openly taking a position by offering legislation would weaken the congresswoman's negotiating position and potentially keep conveyance off the table if her colleagues see her as supporting only lease extension. Additionally, it would appear to District residents and politicians like the congresswoman did not try hard enough to support conveyance, their preferred method. Announcing an accomplishment of getting the lease extension or conveyance passed would be better than trying to stake out a politically unpopular position.

If neither lease extension nor conveyance is included in any year-end legislation, the congresswoman should reevaluate the best way forward at the beginning of next year. She could then introduce lease extension legislation at that time or determine if it would be better to support conveyance or other policy options. Congress has opted to not include lease extension in two recent appropriations processes, so if it fails a third time to be included this year, a new strategy will definitely be needed. The recommendation to not introduce lease extension legislation at this time is the best way to shield the congresswoman from political fallout from a less popular policy solution. It is also the best way to give long term management of the land a chance of being included in must-pass bills before the end of this year.

Curriculum Vitae

Alaina Skalski is a Senior Assistant Executive Clerk in the Office of the Secretary of the Senate. In this position she processes executive business, including nominations and treaties, for the U.S. Senate. She assists the Executive Clerk to prepare a record of all actions taken by the Senate during executive session to be published in the Congressional Record, Executive Calendar, and Executive Journal. She also works on the Senate floor with senators and their aides, floor staff, Democratic and Republican cloakrooms, all Senate committees, and the White House to provide materials, give guidance, and answer questions.

She previously worked for the Senate Sergeant at Arms as an Administrative Support Specialist. While employed at the Senate, Alaina has taken several education and training classes and completed a management certificate program. She also worked as a Program Coordinator for The Washington Campus, a D.C. based non-profit, non-partisan, higher education association that provides intensive educational and professional development courses connecting business and public policy.

Alaina was born in Columbia, Maryland in 1993 and grew up in Lancaster, Pennsylvania. She received her Bachelor of Arts in Government from Cornell University in 2015. She currently resides in Washington, D.C. and is excited to be completing her Master's in Public Management at Johns Hopkins University.